

## REMARKS/ARGUMENTS

Claims 2-8, 10, 12-16, 18-42, and 53-78 are canceled. Claims 1, 9, 11, 17, and 43-52 are withdrawn. Claim 83 was never entered. Claims 79-82 and 84-102 are pending. Claims 79-82 and 84-102 were rejected.

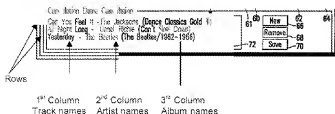
### **35 U.S.C. § 102 Rejections**

Applicants respectfully submit that the §102 rejections in the Office Action are clearly improper and without basis. This clear error lead the Examiner to incorrectly conclude that the present application is anticipated by U.S. Patent No. 5,959,627 to Duwaer et al. (hereinafter “*Duwaer*”). Applicants respectfully submit that Claims 79-82 and 84-102 are patentable over *Duwaer*. Claim 79 reads as follows.

79. A method for managing metadata of content files using an electronic device, the method comprising:  
obtaining from a persistent metadata database, metadata for the content files;  
displaying on a display of the electronic device, a first **column** having a plurality of rows for track names corresponding to a plurality of content files; and  
displaying on a display of the electronic device, at least one of:  
a second **column** having a plurality of rows for artist names corresponding to the plurality of rows for track names,  
a third **column** having a plurality of rows for album names corresponding to the plurality of rows for track names, and  
a fourth **column** having a plurality of rows for genre names corresponding to the plurality of rows for track names.

(emphasis added). Independent Claim 98 recites similar language.

Both the Office Action dated November 7, 2006 (hereinafter “Final Office Action”), and the Advisory Action dated June 20, 2007 (hereinafter “Advisory Action”) assert that *Duwaer* Fig. 5, field 72 discloses metadata displayed in columns, as claimed in Claims 79 and 98. The Final Office Action helpfully explained its reasoning by adding extra arrows and labels to Fig. 5:



However, Applicants respectfully submit that according to the cited figure, *Duwaer* discloses merely that metadata may be displayed in delimited **rows**. It was therefore clear error for the Final Office Action to assert that *Duwaer* discloses metadata displayed in distinct columns as claimed in Claims 79 and 98.

The Application does not define the term “column” in a special way, so the “columns” that are claimed in Claims 79 and 98 adhere to the common definition of that term. According to the New Oxford American Dictionary, 2nd Ed., a “column,” in this context, is “a **vertical arrangement** of figures or other information.” For example the following information is displayed in columns, as are claimed in Claims 79 and 98:

First Name	Last Name	Nickname	Pet’s Name	Spouse’s Name
Joe	Blow		Henry	Marge
Ignatious	Herman	Nate		Betty
Susan	Bell		Kelly	

#### Example 1

The columnar display makes it very easy to identify whether each of the listed names is the first, last, or nick-name of a person, or whether it belongs to an individual’s pet or spouse. Such identification is easily performed because like pieces of data are **aligned** vertically: all of the pet names are roughly the same distance from the edges of the page, all of the spouse names are roughly the same distance from the edges of the page, and those distances are such that the pet names do not spill over into the space occupied by spouse names, and visa versa.

Without such a **vertical alignment**, it becomes vastly more difficult to make any sense of the data thus presented. For example, in Example 2, below, the information is still nominally organized into columns, but the nominal columns are no longer vertically aligned. As a result, it is extremely difficult, if not impossible to tell whether, for example, “Kelly” in the third row is a nickname, a pet name, or a spouse name:

First Name	Last Name	Nickname	Pet’s Name	Spouse’s Name
Joe	Blow	Henry	Marge	
Ignatious		Herman	Nate	Betty
Susan	Bell	Kelly		

#### Example 2

What *Duwaer* teaches, data displayed in delimited rows, cannot be said to anticipate the columnar display as claimed in Claims 79 and 98. The example data, when organized

according to the teachings of *Duwaer*, is almost as difficult to interpret as the non-vertically-aligned “columns” in Example 2:

Joe - Blow - -Henry - Marge
Ignatious - Herman - Nate - - Betty
Susan - Bell - - Kelly - Jim

### Example 3

In sum, unless data is vertically aligned, vertically arranged, and/or vertically divided, it is clear error to assert that such data is displayed in columns, as claimed in Claims 79 and 98. While *Duwaer* teaches merely that data may be organized into delimited rows, Claims 79 and 98 claim that data is organized into **columns**. Therefore, it was clear error and without basis to assert that *Duwaer* teaches metadata displayed in a first and at least one of a second, third, and fourth **columns**, as claimed in Claims 79 and 99.

### *Claims 80-82, and 84-102*

Claims 80-82, and 84-102 depend from allowable independent claims and are therefore allowable for the same reasons already noted above. Claims 80-82, and 84-102 are also allowable for additional reasons: these claims include further recitations not taught, disclosed, or even suggested by *Duwaer*. A nonexclusive listing of some additional reasons Claims 80-82, and 84-102 are allowable are included below.

For example, Claim 82 includes a further limitation to Claim 79 that is not taught or suggested by *Duwaer*: “wherein said persistent database is an **object-oriented database**.” The Advisory Action asserts that *Duwaer* anticipates Claim 82 because in Fig. 5, “*Duwaer* clearly teaches data object stored in table comprises rows and columns.” However, even accepting for the sake of argument that the Advisory Action’s assertion is correct, *Duwaer* suggests only that data is stored in rows and columns, as in a simple spreadsheet.

Claim 82, by contrast, claims that the persistent database in which metadata is stored is an “object-oriented database.” The Application does not define that term in a special way, so the “object-oriented database” that is claimed in Claim 82 adheres to the common definition of that term. In an influential paper, “The Object-Oriented Database Manifesto,” (available at <http://www.cs.cmu.edu/People/clamen/OODBMS/Manifesto/htManifesto/Manifesto.html>) Malcolm Atkinson et al. define an object-oriented database as follows:

An object-oriented database system must satisfy two criteria: it should be a DBMS, and it should be an object-oriented system.... The first criterion translates into five features: persistence, secondary storage management, concurrency, recovery and an ad hoc query facility. The second one translates into eight features: complex objects, object identity, encapsulation, types or classes, inheritance, overriding combined with late binding, extensibility and computational completeness.

Thus, even if *Duwaer* discloses that data is stored in rows and columns, *Duwaer* does not teach (or even suggest) that metadata is stored in a database that is object-oriented, that exhibits complex objects or object identity, or any of the other features that define an “object-oriented database,” as claimed in Claim 82. Therefore, Applicants respectfully submit it was clear error for the Office Action to assert that Claim 82 is anticipated by *Duwaer*.

For another example, Claim 91 recites that “... in response to receiving [a] new metadata value, **propagating** the new metadata value to the corresponding metafield of **each corresponding metadata record for the content files of the selected genre.**” The Advisory Action clearly erred in asserting that *Duwaer* teaches that a new metadata value is propagated to each corresponding metadata record for the content files of the selected genre. In support of this assertion, the Advisory Action argues that “*Duwaer* teaches at Fig. 3 a user interface for adding or modifying metadata in to selected songs, these changes will in turn reflect in the rows displayed in Fig. 5.”

Analyzing the teachings of *Duwaer* in relation to Figs. 3 and 5, it is clear that *Duwaer* suggests merely that when a single record is edited using the interface of Fig. 3, those changes to that one single record will be displayed in the interface of Fig. 5. *Duwaer* teaches that metadata for **one single track** can be edited in the interface of Fig. 3. See *Duwaer* Col. 2 line 64-Col. 3 line 1 (“Field 140... highlights **one** [of the tracks selected in Fig. 2] for further specifying.” (emphasis added)). The Advisory Action asserts that the edited metadata values for that one single track will then be displayed in Field 72 of the interface of Fig. 5.

This assertion is correct as far as it goes, but it does not go so far as to teach what is claimed in Claim 91. Specifically, *Duwaer* never comes remotely close to suggesting that when metadata for one record is edited in the interface of Fig. 3, those changes are **propagated** to the corresponding metafields of any other record, let alone that they are propagated to **each corresponding metadata record for the content files of the selected**

**genre**, as claimed in Claim 91. Therefore, Applicants respectfully submit that it was clear error to assert that Claim 91 is anticipated by *Duwaer*.

### **CONCLUSION**

It was clearly improper and without basis to say that *Duwaer* discloses the display of metadata in columns. It was equally clearly improper to say that *Duwaer* discloses either an object-oriented database or that a new metadata value is propagated to each corresponding metadata record for the content files of the selected genre. Having shown the impropriety of these unsupported rejections, Applicants respectfully submit that independent Claims 79, 98 and all of their dependencies are in condition for allowance. Accordingly, early and favorable action allowing all of the pending claims and passing this application to issue is respectfully requested. The Examiner is invited to contact the undersigned at the telephone number below if there are any remaining questions regarding this application.

We believe the appropriate fees accompany this transmission. If, however, insufficient fee payment or fee overpayment occurs, the amount may be withdrawn or deposited from/to Axios Law Group's deposit account. The deposit account number is 50-4051.

Respectfully submitted,

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